

### **12.2.6.7 Stay of Effective Date of Orders**

A. Whenever Community Planning and Development has issued an order to cease and desist from the operation of dwelling units in excess of the number authorized by this Code, and the Board of Adjustment also finds that literal enforcement of the provisions of this Code by reason of unique and exceptional circumstances including owner's physical condition, age, or other factors as deemed by the Board of Adjustment to be unique or exceptional, will result in unnecessary hardship, then the Board of Adjustment may order a delay, for no more than 5 years, of the enforcement of such order.

B. Upon expiration of any delayed enforcement or other order, the Board of Adjustment may review, at a public hearing before the Board, an applicant's request for a further extension and grant any such extension not to exceed a cumulative total of 5 years from the date of the original order, should the Board of Adjustment find that condition(s) found in Section 12.2.6.7.A. still exists.

C. All such actions by the Board of Adjustment shall be recorded in the real property records of the Denver County Clerk and Recorder. Such stay shall not be a variance on the use of a premises, shall be personal to the applicant therefor, shall only allow continued operation of the excess dwelling units by the persons occupying such unit at the time of the Board of Adjustment's original order, and shall not be transferable.